

# ATTACHMENT 1

## DOCKET SHEET

Case Information

DC-21-04561 | MCDAVID OYEKWE vs. FEDERAL EXPRESS CORP

Case Number	Court	Judicial Officer
DC-21-04561	101st District Court	WILLIAMS, STACI
File Date	Case Type	Case Status
04/15/2021	EMPLOYMENT	OPEN

Party

PLAINTIFF  
OYEKWE, MCDAVID

Address  
3314 SEABREEZE DR  
ROWLETT TX 75088

Active Attorneys ▼  
Pro Se

DEFENDANT  
FEDERAL EXPRESS CORP

Address  
BY SERVING ITS REGISTERED AGENT CT CORP SYSTEM  
1999 BRYAN ST STE 900  
DALLAS TX 75201-3136

Events and Hearings

04/15/2021 NEW CASE FILED (OCA) - CIVIL
04/15/2021 ISSUE CITATION ▼  ISSUE CITATION- FEDERAL EXPRESS CORPORATION
04/15/2021 ORIGINAL PETITION ▼  ORIGINAL PETITION
04/15/2021 CASE FILING COVER SHEET ▼  CASE FILING COVER SHEET
04/15/2021 AFFIDAVIT INABILITY TO PAY
04/19/2021 CITATION ▼  Served 04/26/2021  Anticipated Server CERTIFIED MAIL  Anticipated Method

Action Server

CERTIFIED MAIL

Returned

04/27/2021

Comment

FEDERAL EXPRESS CORPORATION 9214 8901 0661 5400 0161 8691 39

04/27/2021 RETURN OF SERVICE ▼

RETURN OF SERVICE- FEDERAL EXPRESS CORPORATION

Comment

EXECUTED- CITATION- FEDERAL EXPRESS CORPORATION

06/18/2021 DISMISSAL FOR WANT OF PROSECUTION ▼

101st Dismissal Letter - 2017

101st Dismissal Letter - 2017

Judicial Officer

WILLIAMS, STACI

Hearing Time

9:00 AM

Financial

OYEKWE, MCDAVID		
Total Financial Assessment		\$376.00
Total Payments and Credits		\$0.00
4/15/2021	Transaction Assessment	\$292.00
4/15/2021	Transaction Assessment	\$84.00

Documents

CASE FILING COVER SHEET

ORIGINAL PETITION

101st Dismissal Letter - 2017

101st Dismissal Letter - 2017

ISSUE CITATION- FEDERAL EXPRESS CORPORATION

RETURN OF SERVICE- FEDERAL EXPRESS CORPORATION

ATTACHMENT 2  
CASE INFORMATION SHEET



## CIVIL CASE INFORMATION SHEET

E-101st

CAUSE NUMBER (FOR CLERK USE ONLY): DC 21-04561 COURT (FOR CLERK USE ONLY): \_\_\_\_\_

STYLED \_\_\_\_\_

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

<b>1. Contact information for person completing case information sheet:</b> Name: <u>McDavid Oprie</u> Email: <u>mcavoprie@yahoo.com</u> Address: <u>3514 Seabreeze Drive</u> Telephone: <u>409-471-4331</u> City/State/Zip: <u>Rowlett, TX 75088</u> Fax: _____ Signature: _____ State Bar No: _____ [Attach additional page as necessary to list all parties]		<b>Names of parties in case:</b> Plaintiff(s)/Petitioner(s): _____ Defendant(s)/Respondent(s): <u>Federal Express Corporation</u> [Attach additional page as necessary to list all parties]		<b>Person or entity completing sheet is:</b> <input type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Attorney for Defendant/Respondent <input type="checkbox"/> Title IV-D Clerk <input type="checkbox"/> Other: _____ Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____	
<b>2. Indicate case type, or identify the most important issue in the case (select only 1):</b>					
<b>Civil</b>			<b>Family Law</b>		
<b>Contract</b> <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input checked="" type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: _____ <b>Foreclosure</b> <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract: _____	<b>Injury or Damage</b> <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <b>Malpractice</b> <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <b>Product Liability</b> <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: _____ <input type="checkbox"/> Other Injury or Damage: _____	<b>Real Property</b> <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: _____ <b>Related to Criminal Matters</b> <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other: _____	<b>Marriage Relationship</b> <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void <b>Divorce</b> <input type="checkbox"/> With Children <input type="checkbox"/> No Children <b>Other Family Law</b> <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other: _____	<b>Post-judgment Actions (non-Title IV-D)</b> <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other <b>Title IV-D</b> <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocals (UIFSA) <input type="checkbox"/> Support Order <b>Parent-Child Relationship</b> <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child: _____	
<b>Employment</b> <input checked="" type="checkbox"/> Discrimination <input checked="" type="checkbox"/> Retaliation <input checked="" type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input checked="" type="checkbox"/> Other Employment: <u>FMLA</u>	<b>Other Civil</b> <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other: _____				
<b>3. Indicate procedure or remedy, if applicable (may select more than 1):</b>					
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover	
<b>4. Indicate damages sought (do not select if it is a family law case):</b>					
<input type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input type="checkbox"/> Over \$1,000,000					

# ATTACHMENT 3

## CITATION

**FORM NO. 353-3 - CITATION  
THE STATE OF TEXAS**

**To: FEDERAL EXPRESS CORPORATION  
BY SERVING ITS REGISTERED AGENT CT CORPORATION SYSTEM  
1999 BRYAN ST STE 900  
DALLAS TX 75201-3136**

**GREETINGS:**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the **101st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MCDavid OYEKWE**

Filed in said Court **15th day of April, 2021** against

**FEDERAL EXPRESS CORPORATION**

For Suit, said suit being numbered **DC-21-04561**, the nature of which demand is as follows:  
Suit on **EMPLOYMENT** etc. as shown on said petition **REQUEST FOR PRODUCTION, REQUEST FOR ADMISSIONS, FIRST SET OF INTERROGATORIES**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.  
Given under my hand and the Seal of said Court at office this 19th day of April, 2021.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By TERESA JONES, Deputy



**CERTIFIED MAIL**

**CITATION**

**DC-21-04561**

**MCDavid OYEKWE  
vs.  
FEDERAL EXPRESS CORPORATION**

**ISSUED THIS  
19th day of April, 2021**

**FELICIA PITRE  
Clerk District Courts,  
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff  
MCDavid OYEKWE  
PRO SE  
3314 SEABREEZE DR  
ROWLETT TX 75088  
469-471-4337  
mooyekwe@yahoo.com**

**AFFIDAVIT INABILITY TO PAY**

OFFICER'S RETURN

Case No. : DC-21-04561

Court No.101st District Court

Style: MCDAVID OYEKWE

vs.

FEDERAL EXPRESS CORPORATION

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_M. Executed at  
\_\_\_\_\_, within the County of \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_M. on the  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by delivering to the within named  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

each in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was \_\_\_\_\_ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said \_\_\_\_\_ before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_,  
to certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public \_\_\_\_\_ County \_\_\_\_\_

9214 8901 0661 5400 0161 8691 39

ATTACHMENT 4  
PETITION



McDavid Oyekwe

CAUSE NO. DC 21-04501

FILED  
21 APR 15 PM 1:12  
T COURT  
JELICIA PITRE  
DISTRICT CLERK  
DALLAS CO., TEXAS  
COUNTY, TEXAS  
UNDER

ss ss ss ss ss ss ss ss

Plaintiff

V.

FEDERAL EXPRESS CORPORATION

Defendant

IN THE DISTRICT COURT  
FELICIA PITRE  
DISTRICT CLERK  
DALLAS CO., TEXAS  
OF DALLAS COUNTY, TEXAS  
CHRISTI UNDERWOOD  
DEPUTY  
E-101st  
JUDICIAL DISTRICT

-Page 1-

Civil Practice and Remedies Code. The incident made the basis of this suit occurred in Dallas County, Texas.

4. Plaintiff seeks monetary relief over \$200,000 but not more than \$1,000,000. The damages sought are within the jurisdictional limits of the court.

### **DISCOVERY**

5. Plaintiff intends to conduct discovery under Level 2 of the Texas Rules of Civil Procedure.
6. Under Texas Rules of Civil Procedure § 194, Plaintiff requests that Defendant disclose, within 50 days of the service of this request, the information or material described in Rule 194. More specifically, you are requested to disclose:
  - (a) The correct names of the parties to the lawsuit;
  - (b) The name, address and telephone number of any potential parties;
  - (c) Legal theories and in general the factual basis of Defendant' claims or defenses;
  - (d) The amount of any method of calculating economic damages (for Plaintiff and Defendant);
  - (e) The name, address and telephone number of persons having knowledge of relevant facts and a brief statement of each identified person's connection with the case;
  - (f) For any testifying expert:
    - (1) the expert's name, address and telephone number;
    - (2) the subject matter on which the expert will testify;
    - (3) the general substance of the expert's mental impressions and opinions and a brief summary of the basis for them, or, if the

expert is not retained by, employed, or otherwise subject to the control of the responding party, documents reflecting such information;

(4) if the expert is retained by, employed, or otherwise subject to the control of the responding party:

(A) all documents, tangible things, reports, models or data compilations that have been provided to, reviewed or for the expert in anticipation of the expert's testimony; and

(B) the expert's current resume and bibliography.

(g) Any discoverable indemnity and insuring agreements;

(h) Any discoverable settlement agreements relating to this case; and

(i) Any discoverable witness statements.

7. Plaintiff has attached, as Exhibit A, Interrogatories and Production Requests to Defendant, pursuant to Rule 196 and 197. Defendant's answers and documents are due to Plaintiff within 50 days of the service of this request.

#### **REQUEST FOR JURY / ATTORNEY**

8. Plaintiff hereby requests a trial by jury and has paid the jury fee.

9. Plaintiff requests an attorney be provided if possible.

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#### **FACTUAL BACKGROUND**

10. Plaintiff began working for Defendant on or about January 2019.

11. On or about April 2019, Defendant moved the Plaintiff to the ramp team.



12. After joining the ramp team the Plaintiff learned the politics of the ramp causing the high turnover was racial discrimination.
13. Plaintiff maintained attendance with the top third of an estimated 300-500 employees forced to clock in with only 2 or sometimes just 1 stamp machine each shift.
14. Thinking he was only trying to help the reduce turnover and help team morality he reported it to Erik Rick Miglans whom took great offense.
15. Plaintiff used examples of privileges afforded to white co-workers than black co-workers waited last for despite tenure such as training.
16. For the duration of his employment, Plaintiff always gave his best efforts to Defendant even when injured on the job.
17. Plaintiff had no serious disciplinary history and was one of Defendant's best employees especially with safety working extra shifts in other hubs.
18. Plaintiff worked loading, unloading, equipment, driving and much more.
19. Plaintiff, who is black, received a lukewarm acknowledgement from Julie Hughes of his discrimination concerns with no follow-up nor apology. She suggest retaliation or harassment wouldn't follow but it did.
20. Plaintiff was harshly bullied in top loader duties for months straight in the cold in retaliation by Brandon Grannon (white) the top scheduler despite not being a manager.
21. The two other employees hired after the Plaintiff John Peterson (white) and Ruthie Pontemayor (Polynesian) were hired after McDavid Oyekwe and trained before him to be captions.

22. Despite months of top loader scheduling by Brandon Grannon and Erik Miglans on the most Dangerous Gate 7. Erik Rick Miglans began to literally harass the Plaintiff to go faster and potentially hurt himself or someone else.
23. Plaintiff satisfied all requirements safety and to allow no late flights.
24. However, it become apparent Erik Rick Milgans intention was to harass the Plaintiff into a resignation or injury for termination.
25. Ed Harvey (black) was the previous H.R. Manager whom the Plaintiff reported these infractions to. He was considered helpless just as Alonzo Wiley (black) whom was the official manager for the ramp team but Brandon Grannon made more decisions than him.
26. On or around late December, Plaintiff received a casual request to forfeit his HIPPA rights unlike other employees as himself.
27. Plaintiff declined citing his safety record and right to privacy like the others.
28. In violation of FedEx Express's own Leave Of Absence Policy. Erik Rick Milgans placed the Plaintiff McDavid Oyekwe without his request or consent on Leave of Absence.
29. Additionally, Plaintiff received word Ed Harvey was retiring New Years Eve 2019.
30. Conversely, a Jay Johnson was to replace him and coordinate this retaliatory stunt or speaking to me.
31. Plaintiff attempted to address this differential treatment with his team lead, Ramp Managers (black) Shane Dumas and (black) Joseph Agnew knew this also but feared retaliation themselves.
32. With regard to Plaintiff's FMLA fraud, Jay Johnson required the Plaintiff to meet him In February 2020 and speak to him while unpaid.

33. This was without any doctor of note to the Plaintiffs knowledge a Laura Corodimas from California called to coerce false statement from herself.
34. The fact that Plaintiff considered still an employee but treated as if he was fired with no badge or equipment to work was FMLA fraud by FedEx Express
35. Additionally, Laura Corodimas (white) then told McDavid Oyekwe to return March 27, 2020 and that I would return to the top side loader upon return.
36. Furthermore, Plaintiff was treated differently even worse upon return with no FedEx work gear to protect himself.
37. Erik Rick Milgans devised a new plan to reduce my role to deck duty under the pretext I must be re-trained on everything.
38. Erik Rick Milgans and Brandon Grannon continued to train whites before blacks and ignored my existence for future training as usual.
39. Again, The Plaintiff understands the FMLA fraud was neither right nor legal and contacted anybody whom would review the violations to reimburse his pay. Jay Johnson simply ignored the Plaintiff.
40. Julie Hughes continued to ignore the Plaintiff despite confirmation of discrimination previously.
41. Safety Concerns were ignored in this same manner with Joelle Hainstock in Memphis not DFW. She was meant to cover for absent Laura Jewell whom never responded.
42. Half never responded to the Plaintiff if not 75% of management reached out to.
43. April 29, 2020 The Plaintiff was on deck duty alone as punishment again despite previous reports to management.



44. The Plaintiff witnessed John Pederson strike the aircraft in the front side door area of Gate 5 with the stairs. This was not his first accident covered up by management.

45. Remember the Plaintiff is a witness not a captain and not involved. He reported it Management to protect himself.

46. Also on April 29, 2020 Alonzo Wiley called the Plaintiff a liar only to rush to Erik Rick Milgans offices to discuss it. I provided my statement before departing. That the Plaintiff's last day ever on the ramp to work.

47. The very next day, April 30, 2020. Alonzo Wiley ambushed McDavid Oyekwe in the guard shack with another Manager named Thomas to suspend the Plaintiff with pay. This similar to the New Years 2019 incident. Erik Rick Milgans & Jay Johnson needed time to make up a new plan to conceal retaliation. No follow-up questions of the reported accident were done.

48. Plaintiff reported all infractions to anybody he could especially the workplace hotline 1-866-423-3339

49. Then, on or about May 8<sup>th</sup> of 2020 or so, Defendant officially terminated Plaintiff for the pre-textual reason of "3<sup>rd</sup> Letter for insubordination." Despite no pretext or investigation.

50. The defendant's statements to the EEOC & OSHA don't match; especially at the end confirm concealment of retaliation.

51. Plaintiff was unpaid for the unrequested leave of absence articulated by Jay Johnson & Laura Corodimas December 31 2019 – March 26, 2020 via FMLA fraud.

52. This stated reason does not stand up to scrutiny, particularly where Plaintiff had clear communications of prior and continuing racial discrimination with harassment.

53. In fact, Plaintiff never received 3 letters within 12 - month period as a employee.

54. June 2020 another investigation letter was provided proving FedEx GFTP, IEEOC, & other resolution programs are all farces with slow paper trails to eliminate its legal threat. In fact June 2020 letter confirms it.

55. Defendant's actions are arbitrary and capricious and can be used to draw an inference of discrimination and retaliation.

56. Defendant has violated Title VII of the Civil Rights Act, 42 U.S.C. §1981 and the Texas Labor Code by discriminating against Plaintiff because of his race and color and retaliating against him.

### **CONDITIONS PRECEDENT**

57. Plaintiff has attached, as Exhibit B, the right to sue from the EEOC. It has been more than 180 since he filed his complaint with both the EEOC and TWC-Civil Rights Division and therefore he has exhausted his administrative remedies.

### **CAUSES OF ACTION**

#### **Count I: Discrimination on the Basis of Race**

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58. Plaintiff realleges and incorporates by reference the preceding paragraphs for all purposes the same as if set forth herein verbatim.

59. As described above, Plaintiff was treated differently than the white

males that he worked with who were in the same position, same rank and job duties. Plaintiff and his white coworkers worked for the same company, the same division, the same department and were under the same management team.

60. There was no legitimate, nondiscriminatory reason why Defendant treated Plaintiff differently from his white coworkers especially if tenure was clear.

61. As a direct and proximate result of Defendant's conduct as alleged in this petition, Plaintiff sustained, and continues to sustain, economic and emotional damages. He has suffered a loss of both past and future wages and bonuses, benefits, damage to his professional career, emotional and mental damage, and a loss of his retirement in his 401K account.

#### Count II: Retaliation for Race Discrimination Complaint

62. Plaintiff realleges and incorporates by reference the preceding paragraphs for all purposes the same as if set forth herein verbatim.

63. As described above, Plaintiff repeatedly notified Human Resources that he was being treated differently than his white coworkers and within days he was terminated in retaliation for his complaint.

64. As a direct and proximate result of Defendant's conduct as alleged in this petition, Plaintiff sustained, and continues to sustain, economic and emotional damages. He has suffered a loss of both past and future wages and benefits, damage to his professional career, emotional and mental damage, and a loss of his retirement in his 401K account.

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Count III: Family Medical Leave Act

65. Plaintiff realleges and incorporates by reference the preceding paragraphs for all purposes the same as if set forth herein verbatim.

66. At the time of his unofficial termination, Plaintiff was owed compensation for fraudulent unrequested FMLA (LOA) from Defendant and was not paid for the hours should've been worked if not banned from worksite in violation of the laws pursuant to FMLA interference or fraud.

67. Plaintiff is owed approximately \$ 5,000-\$15,000 in missing pay.

**DEMAND**

68. Plaintiff realleges and incorporates by reference the preceding paragraphs for all purposes the same as if set forth herein verbatim.

69. As a result of Defendants' actions as described herein, Plaintiff has suffered damages including: economic loss of past and future salary, bonuses and benefits; mental anguish sustained in the past; mental anguish that, in reasonable probability, Plaintiff will sustain in the future; damage to his past and future professional career; a loss of 401k retirement. As set forth herein, Plaintiff has suffered additional damages in loss of overtime pay and seek recovery for same from Defendant.

70. Plaintiff further requests recovery of pre-judgment interest and post-judgment interest at the statutory rate or at such other rate as is set by this Court.

71. Pleading further, and alternatively, if necessary, Defendant is guilty of misconduct which was committed knowingly, intentionally, maliciously, wantonly, fraudulently, and in reckless and callous disregard of the

legitimate rights of the Plaintiff so far as to justify the imposition of exemplary damages. Plaintiff seeks recovery of such exemplary damages from Defendant.

**PRAYER AND REQUEST FOR RELIEF**

For the foregoing reasons, Plaintiff requests that upon final trial or other disposition of this lawsuit, Plaintiff recover judgment against Defendant for the following:

- a. all damages requested;
- b. pre-judgment and post-judgment interest as provided by law;
- c. costs of court;
- d. exemplary damages; and
- e. such other and further relief, at law or in equity, to which Plaintiff is justly entitled.

Respectfully submitted,



McDavid Oyekwe, Pro Se

3314 Seabreeze Drive  
Rowlett, TX 75088  
469-471-4337

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mooyekwe@yahoo.com



CAUSE NO. \_\_\_\_\_

McDavid Oyekwe ,	§	IN THE DISTRICT COURT
	§	
Plaintiff	§	
	§	
V.	§	OF DALLAS COUNTY, TEXAS
FEDERAL EXPRESS CORP...	§	
	§	
Defendant	§	_____ JUDICIAL DISTRICT

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**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION TO DEFENDANT**

Plaintiff MCDAVID OYEKWE pursuant to Federal Rules of Civil Procedure, who offers Plaintiff's Request for Admissions to DEFENDANT FEDERAL EXPRESS CORPORATION provide sworn answers to the following interrogatories to the MOOYEKWE@YAHOO.COM within the time provided by law.

**CERTIFICATE OF SERVICE**

I certify that a true copy of the above was served on each attorney of record or party by April 19th, 2021.

(x) **McDavid Oyekwe**  
**3314 Seabreeze Drive**  
**Rowlett, TX 75088**  
**mooyekwe@yahoo.com**  
**469-471-4337**

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**DEFINITIONS**

"Date" as used herein means the day, month and year, on which the event or incident inquired about occurred.

"Company", "Defendant", "you" and "your" as used herein means the party to whom these requests are directed, as well as your agents, representatives, directors, servants, members, employees, persons acting or purporting to act on behalf of said party, and all other persons subject to said party's control.

"Entity" or "entities" includes and is intended to mean any company limited liability company, firm, nonpublicly traded corporation, association, trust, business trust, partnership, limited partnership, family limited partnership, limited liability partnership, joint venture, proprietorship, or any other form of business entity.

The term "identify" or "identity" with respect to a person or entity means to provide their name, address and telephone number.

"Location" as used herein means the street number, block, apartment number, city, state and zip code identifying the location inquired about and, in regard to the address of a person, includes the last known present whereabouts of the person.

"Parties" means Plaintiff or Defendant, or all.

"Person" includes and is intended to mean any natural person or the representative of Defendant or of any subsidiary agency.

"Relates to" means in whole or in part constitutes, contains, concerns, embodies, relates, analyzes, identifies, states, refers to, deals with, or in any way pertains to.

If any of this information is solely in electronic or magnetic form, you must produce this information by providing Plaintiff with this information on CD-ROM computer disks formatted for IBM-compatible computers with a notation identifying the computer program (including version identification) necessary to access the information.

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**REQUEST FOR PRODUCTION NO. 1:**

Produce a complete (not just the documents relied upon) copy of any investigative files regarding Plaintiff or his job performance, including but not limited to, all documents, photographs, memos, emails, statements, and audio or video files collected while investigating Plaintiff prior to his termination and after.

**ANSWER:**

**REQUEST FOR PRODUCTION NO. 2**

Produce any and all documents, which were provided to the EEOC by Defendant during the EEOC investigation.

**ANSWER:**

**REQUEST FOR PRODUCTION NO. 3:**

Produce any and all documents, which were provided to the OSHA by Defendant during the OSHA investigation.

**ANSWER:**

**REQUEST FOR PRODUCTION NO. 4:**

Produce documents, which reflect any and all policies of whistleblower protection.

**ANSWER:**

**REQUEST FOR PRODUCTION NO. 5:**

Produce documents, which reflect any and all accidents on ramp in 2019 & 2020

**ANSWER:**

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**REQUEST FOR PRODUCTION NO. 6:**

Provide all training records completed by McDavid Oyekwe & not completed by McDavid Oyekwe.

**ANSWER:**

**REQUEST FOR PRODUCTION NO. 7:**

Produce documents, which reflect any and all policies regarding workplace safety.

**ANSWER:**

**REQUEST FOR PRODUCTION NO. 8:**

Produce all letters of any investigative action related to or involving McDavid Oyekwe concerns.

**ANSWER:**

**REQUEST FOR PRODUCTION NO. 9:**

Produce all letters of any safety action(s) related to or involving Erik Rick Miglans, Brandon Grannon or 1-866-423-3339 for 2019 and 2020.

**ANSWER:**

**REQUEST FOR PRODUCTION NO. 10:**

Produce all & any video footage action related to or involving McDavid Oyekwe April 29, 2020.

**ANSWER:**

Respectfully submitted,

/s/ McDavid Oyekwe  
3314 Seabreeze Drive  
Rowlett, Texas 75088  
mooyekwe@yahoo.com  
469-471-4337

---



CAUSE NO. \_\_\_\_\_

McDavid Oyekwe ,	§	IN THE DISTRICT COURT
	§	
Plaintiff	§	
	§	
V.	§	OF DALLAS COUNTY, TEXAS
FEDERAL EXPRESS CORP...	§	
	§	
Defendant	§	_____JUDICIAL DISTRICT

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**PLAINTIFF'S REQUEST FOR ADMISSIONS TO DEFENDANT**

Plaintiff MCDAVID OYEKWE pursuant to Rule 36 of the Federal Rules of Civil Procedure, who offers Plaintiff's Request for Admissions to DEFENDANT FEDERAL EXPRESS CORPORATION provide sworn answers to the following interrogatories to the MOOYEKWE@YAHOO.COM within the time provided by law.

**CERTIFICATE OF SERVICE**

I certify that a true copy of the above was served on each attorney of record or party via by April 19th, 2021.

(x) **McDavid Oyekwe**

**REQUEST FOR ADMISSION NO. 1:**

McDavid Oyekwe never physically worked on the ramp serving flights for Federal Express Corporation on April 30, 2020 after reporting an aircraft strike that day.

**RESPONSE:**

---

**REQUEST FOR ADMISSION NO. 2:**

McDavid Oyekwe was the only employee suspended on the day of April 30, 2020, Not John Pederson, Not Chris Barnes. Ruthie Pontemayor.

**RESPONSE:**

**REQUEST FOR ADMISSION NO. 3:**

Did any ramp agent confirm markings left by the stairs mated to the Gate 5 aircraft on April 29, 2020.

**RESPONSE:**

**REQUEST FOR ADMISSION NO. 4:**

McDavid Oyekwe was assigned to Gate 5 to work on April 29, 2020.

**RESPONSE:**

**REQUEST FOR ADMISSION NO. 5:**

No mechanics inspected the Gate 5 first aircraft on April 29<sup>th</sup>, 2020 after the report it was impacted.

**RESPONSE:**

**REQUEST FOR ADMISSION NO.6:**

John Pederson have a history of accidents on ramp such broken locks & top side loader impacting a retainer wall.

**RESPONSE:**

**REQUEST FOR ADMISSION NO.7:**

McDavid Oyekwe was never trained to be captianat FedEx Express.

**RESPONSE:**

**REQUEST FOR ADMISSION NO.8:**

No Safety manager was on sight at DFW the morning of April 29, 2020.

**RESPONSE:**

---

**REQUEST FOR ADMISSION NO.9:**

Ruthie Pontemayor nor Chris Barnes were suspended in related to aircraft strike reported on April 29, 2020?

**RESPONSE:**

**REQUEST FOR ADMISSION NO.10:**

Shane Dumas was a witness but fired before OSHA investigator Justin Williams visited November 2020.

**RESPONSE:**

**REQUEST FOR ADMISSION NO.11:**

Joseph Agnew was a witness for OSHA investigator Justin Williams visit in November 2020.

**RESPONSE:**

**REQUEST FOR ADMISSION NO.12:**

McDavid Oyekwe never requested, consented, or solicited the Leave Of Absence Policy in 2019 or 2020.

**RESPONSE:**

**REQUEST FOR ADMISSION NO.13:**

McDavid Oyekwe was unpaid but an employee while barred from working for FedEx December 31,2019 to March 26, 2020

**RESPONSE:**

**REQUEST FOR ADMISSION NO.14:**

McDavid Oyekwe was ordered to forfeit his work IDs and equipment to management on December 31, 2019.

**RESPONSE:**

**REQUEST FOR ADMISSION NO.15:**

McDavid Oyekwe applied to a job internally while blocked from physically entering FedEx Express DFW property.

---

**RESPONSE:**

**REQUEST FOR ADMISSION NO.16:**

McDavid Oyekwe was not not able to interview for the International Doc Agent job while blocked from physically entering FedEx Express DFW property.

**RESPONSE:**

**REQUEST FOR ADMISSION NO.17:**

McDavid Oyekwe was exercised the Open Door Policy with no success or clarity.

**RESPONSE:**

**REQUEST FOR ADMISSION NO.18:**

McDavid Oyekwe exercised GFTP with no success or clarity

**RESPONSE:**

**REQUEST FOR ADMISSION NO.19:**

Jorge Pardo was also injured on Gate 7 in January of 2020.

**RESPONSE:**

**REQUEST FOR ADMISSION NO.20:**

McDavid Oyekwe worked Gate 7 with the Top -Slide Loader for 2-3 months straight with no accident in 2019.

**RESPONSE:**

Respectfully submitted,

/s/ McDavid Oyekwe  
3314 Seabreeze Drive  
Rowlett, Texas 75088  
mooyekwe@yahoo.com  
469-471-4337

---





CAUSE NO. \_\_\_\_\_

McDavid Oyekwe ,	§	IN THE DISTRICT COURT
	§	
Plaintiff	§	
	§	
V.	§	OF DALLAS COUNTY, TEXAS
FEDERAL EXPRESS CORP...	§	
	§	
Defendant	§	_____ JUDICIAL DISTRICT

-----

**PLAINTIFF'S FIRST SET OF INTERROGATORIES TO DEFENDANT**

Plaintiff MCDAVID OYEKWE pursuant to Federal Rules of Civil Procedure 26 and 33, requests that DEFENDANT FEDERAL EXPRESS CORPORATION provide sworn answers to the following interrogatories to the MOOYEKWE@YAHOO.COM within the time provided by law.

**INSTRUCTIONS**

- A. If any interrogatory cannot be answered in full after exercising due diligence to secure the information, so state in the answer to the extent possible, specifying your inability to answer and the reason(s) why. If for any reason an answer is qualified, set forth the details of such qualification.
- B. The remaining instructions and definitions contained in Plaintiff's First Requests for Production of Documents to Defendant are incorporated herein as if fully restated.

**CERTIFICATE OF SERVICE**

I certify that a true copy of the above was served on each attorney of record or party by April 19th, 2021.

(x) **McDavid Oyekwe**

---

**INTERROGATORY NO. 1:**

Please explain what Federal Express Corporation believes occurred on Gate 5 with John Pederson, Ruthie Pontemayor, Chris Barnes and McDavid Oyekwe for the complete shift of April 29, 2020.

**ANSWER:**

**INTERROGATORY NO. 2:**

Please detail all cameras and angles available SEE or record Gate 5 at Federal Express Corporation and their availability.

**ANSWER:**

**INTERROGATORY NO. 3:**

Was McDavid Oyekwe responsible for any delayed flight April 29, 2020?

**ANSWER:**

**INTERROGATORY NO. 4:**

Explain if anyone ask secondary or third level questions for clarity from McDavid Oyekwe.

**ANSWER:**

**INTERROGATORY NO. 5:**

Please explain all investigations involving McDavid Oyekwe in chronological order.

**ANSWER:**

**INTERROGATORY NO. 6:**

If an employee reports an aircraft strike how or why did it result in only the witness being suspended though not involved?

**ANSWER:**

**INTERROGATORY NO. 7:**

Who do Federal Express Corporation employees report aircraft strikes to? Does a policy explain the time requirements to report?

**ANSWER:**

---

**INTERROGATORY NO. 8:**

Please explain the differences between your explanation to the EEOC and OSHA to its entirety.

**ANSWER:**

**INTERROGATORY NO. 9:**

McDavid Oyekwe reporting his belief of an aircraft strike to management insubordination?

**ANSWER:**

**INTERROGATORY NO. 10:**

When did McDavid Oyekwe last physically work at Fedex Express DFW Airport Ramp?

**ANSWER:**

**INTERROGATORY NO. 11:**

What job application did McDavid Oyekwe complete while placed on Leave of Absence against his will?

**ANSWER:**

**INTERROGATORY NO. 12:**

Was McDavid Oyekwe an employee December 31, 2019 through March 26, 2020?

**ANSWER:**

**INTERROGATORY NO. 13:**

Was McDavid Oyekwe badges & equipment taken to prevent him from entering FedEx Property at DFW December 31, 2019 through March 26, 2020?

**ANSWER:**

**INTERROGATORY NO. 14:**

Was McDavid Oyekwe consulted to get diagnosed by a FedEx official or doctor with Heights?

**ANSWER:**

**INTERROGATORY NO. 15:**

How many complaints did 1-866-423-3339 received in 2019 or 2020 regarding Erik Rick Milgans or Brandon Grannon.

**ANSWER:**

Respectfully submitted,

/s/ McDavid Oyekwe  
3314 Seabreeze Drive  
Rowlett, Texas 75088  
mooyekwe@yahoo.com  
469-471-4337

---

# EXHIBIT A

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August 5, 2019

McDavid Oyekwe  
3314 Seabreeze Drive  
Rowlett, TX 75088

Dear Mr. Oyekwe:

This acknowledges our receipt of your internal complaint of discrimination. Employment discrimination complaints are reviewed promptly by the Internal EEO Complaint Process. A thorough investigation will be conducted in as confidential a manner as possible. Once the investigation begins, you will be contacted to discuss your allegations. Your participation is critical for a complete investigation.

Employees are protected by company policy and federal statutes from coercion, intimidation, retaliation, interference or discrimination as a result of you filing a complaint of discrimination. FedEx Express specifically prohibits such actions on the part of management or other employees.

You will be notified in writing once the investigation has been completed. If you have any questions about the Internal EEO Process, please contact Human Resources Advisor, Edward Harvey at (972) 456-6675.

Thank you for bringing your concerns to our attention.

Linda Reed  
HR Compliance Department  
901-434-3710

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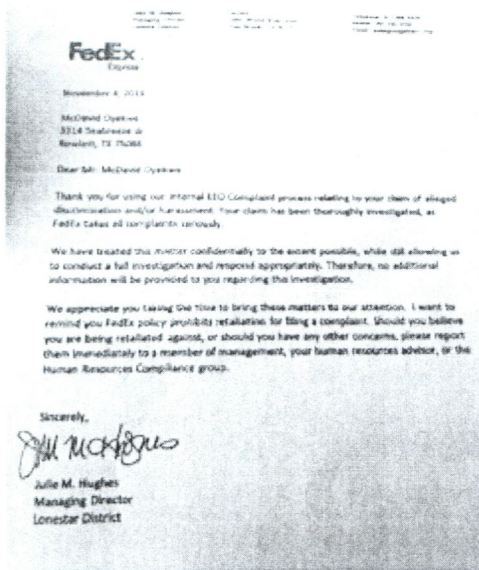
## **Ramp Safety**

1. Perform Pre and Post inspections of all equipment operated for the day. Fill out the required paper work for each item. Paper work is located by the overhead door near the Dangerous Goods area.

If there is a problem with the equipment fill out a maintenance tag and take the equipment to GSE for repair.

2. Place tug in neutral, apply the parking brake and turn the tug off while sitting idle waiting to move. Help the tug driver in front of you load their dollies to help keep the process moving.
3. Always chock the left rear tire of the tug.
4. Always chock the front left tire of the Dollie and put the tongue up.
5. Do not drive behind the plane if the red beacon light is on.
6. Never walk between the loader and the Dollie.
7. Never walk or stand on the loader. Push the container onto the loader from the transition deck or from the ground. Never pull a container onto the loader.
8. Don't stand near the loader while the loader is in the up position.
9. Reduce speed when pulling up to and away from the loader, the canopy area and heavyweight area.
10. Reduce speed when driving near other employees and at blind spots.
11. Drive slow between the Mechanics storage container and the warehouse building. Only tugs should be driven in this area, with the exception of removing or obtaining containers from the fingers.
12. Do not drive or park equipment between the Mechanics storage building and the Mechanics Equipment (where the push backs are parked).
13. STOP and sound horn at the door any time you are driving into any part of the warehouse building. Drive slow while inside the building.
14. STOP and sound the horn at the door before exiting the warehouse building. Drive out of the building slowly.
15. STOP, Turn OFF Equipment, and call a Ramp Agent or Manager to the location if any piece of equipment is struck by another piece of equipment.
16. Pull or Push containers off the Dollies from the side of the container during the onload of the planes.





Confession

## Sunday Schedule 0200 Start Rotation

12/29/2019	1/5/2019	1/12/2019	1/19/2019	1/26/2019	2/2/2019
Day-Turner	Unkefer	Day-Turner	Unkefer	Day-Turner	Unkefer
Biringanine	Chappell	Biringanine	Chappell	Biringanine	Chappell
Neal	Aigbe	Neal	Aigbe	Neal	Aigbe
Gullace	Petersen	Gullace	Petersen	Gullace	Petersen
Newman	Pontemayor	Newman	Pontemayor	Newman	Pontemayor
Oyekwe	Atwood	Oyekwe	Atwood	Oyekwe	Atwood
	Bream		Bream		Bream
2/9/2019	2/16/2019	2/23/2019	3/1/2019	3/8/2019	3/15/2019
Day-Turner	Unkefer	Day-Turner	Unkefer	Day-Turner	Unkefer
Biringanine	Chappell	Biringanine	Chappell	Biringanine	Chappell
Neal	Aigbe	Neal	Aigbe	Neal	Aigbe
Gullace	Petersen	Gullace	Petersen	Gullace	Petersen
Newman	Pontemayor	Newman	Pontemayor	Newman	Pontemayor
Oyekwe	Atwood	Oyekwe	Atwood	Oyekwe	Atwood
	Bream		Bream		Bream
3/22/2019	3/29/2019	4/5/2019	4/12/2019	4/19/2019	4/26/2019
Day-Turner	Unkefer	Day-Turner	Unkefer	Day-Turner	Unkefer
Biringanine	Chappell	Biringanine	Chappell	Biringanine	Chappell
Neal	Aigbe	Neal	Aigbe	Neal	Aigbe
Gullace	Petersen	Gullace	Petersen	Gullace	Petersen
Newman	Pontemayor	Newman	Pontemayor	Newman	Pontemayor
Oyekwe	Atwood	Oyekwe	Atwood	Oyekwe	Atwood
	Bream		Bream		Bream
5/3/2019	5/10/2019	5/17/2019	5/24/2019	5/31/2019	6/7/2019
Day-Turner	Unkefer	Day-Turner	Unkefer	Day-Turner	Unkefer
Biringanine	Chappell	Biringanine	Chappell	Biringanine	Chappell
Neal	Aigbe	Neal	Aigbe	Neal	Aigbe
Gullace	Petersen	Gullace	Petersen	Gullace	Petersen
Newman	Pontemayor	Newman	Pontemayor	Newman	Pontemayor
Oyekwe	Atwood	Oyekwe	Atwood	Oyekwe	Atwood
	Bream		Bream		Bream



[illegible]



**INTER-OFFICE MEMORANDUM**

**Date:** December 31, 2019

**To:** McDavid Oyekwe # 3758550

**From:** Alonzo Wiley III

**cc:** Rick Miglans  
Jay Johnson  
Ed Harvey

**Subject:** Personal Leave of Absence (PLOA)

Effective immediately you are being placed on a 90-day Personal Leave of Absence as a result of your inability to perform the essential functions of the Material Handler position. The 90-day leave is to allow you to find another position within FedEx for which you are qualified and can perform the essential functions with or without accommodation. During this time, you will have the ability to submit unlimited job bids in order to secure a position. Failure to secure another position for which you are qualified within 90-day period will be considered a voluntary resignation. You may not apply for a position for which you were an unsuccessful candidate for at least 12 months from the date you left that position. You will receive a copy of all open FedEx open positions each week until you find a position you can perform or you exhaust your PLOA. You are expected to secure a position with 90-days of the effective date of this letter and should you not be successful in securing a position it will be considered as voluntary resignation.

This leave is without pay. During your leave you are subject to all provisions of the Leave of Absence (Personal) Policy, P1-55. A copy of the policy is attached. You are reminded that failure to return to work on or before the date specified in this letter is considered a voluntary resignation.

We wish you the best during your leave and look forward to your return to FedEx on or before March 31, 2020.

Regards,

A handwritten signature in cursive script that reads "Alonzo Wiley III".

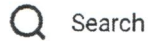
---

Alonzo Wiley III  
Ramp Manager  
DFWRR

Signature: \_\_\_\_\_

Date: \_\_\_\_\_





# My Applications

Actions

7 items



Date Applied	Candidate Recruiting Status	Job Title	Job Requisition	
02/26/2020	No Longer Under Consideration		RC213600 Intl Doc Agent/Non-DOT (Filled)	
07/03/2019	No Longer Under Consideration	Internal: IT Sr Manager	RC109642 IT Sr Manager (Open)	
07/03/2019	Under Consideration	Internal: LV472:Account Exec	RC17168 LV472:Account Exec (Open)	
07/03/2019	Under Consideration	Internal: LB340: Logistics coordinator	RC126173 LB340: Logistics coordinator (Open)	
07/03/2019	Under Consideration	Internal: LB327: Operations Coordinator	RC114837 LB327: Operations Coordinator (Filled)	
07/03/2019	Under Consideration	Internal: LB062: Cargo Operator	RC1240 LB062: Cargo Operator (Filled)	
01/03/2019	No Longer Under Consideration	FXE-US Career Site: HANDLER/WAREHOUSE - PART TIME, 10 PM-5 AM \$13.65 HR.	RC118384 HANDLER/WAREHOUSE - PART TIME, 10 PM-5 AM \$13.65 HR. (Evergreen) (Closed)	

Julie M. Hughes  
Managing Director  
Lonestar District

AGFS  
2001 World Wide Drive  
Fort Worth, TX 76177

Telephone: 817.606.4429  
Mobile: 901.302.0396  
Email: [jmhughes@fedex.com](mailto:jmhughes@fedex.com)



March 26, 2020

McDavid Oyekwe #3758550  
3314 Seabreeze Drive  
Rowlett, TX 75088

Dear Mr. Oyekwe,

Thank you for using our internal EEO Complaint process relating to your claim of alleged discrimination and/or harassment. Your claim has been thoroughly investigated, as FedEx takes all complaints seriously.

We have treated this matter confidentially to the extent possible, while still allowing us to conduct a full investigation and respond appropriately. Therefore, no additional information will be provided to you regarding this investigation.

We appreciate you taking the time to bring these matters to our attention. I want to remind you FedEx policy prohibits retaliation for filing a complaint. Should you believe you are being retaliated against, or should you have any other concerns, please report them immediately to a member of management, your human resources advisor, or the Human Resources Compliance group.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie M. Hughes", written over a circular stamp or mark.

Julie M. Hughes  
Managing Director  
AGFS Western Region  
Lonestar District

Julie M. Hughes  
Managing Director  
Lonestar District

AGFS  
2001 World Wide Drive  
Fort Worth, TX 76177

Telephone: 817.606.4429  
Mobile: 901.302.0396  
Email: jmhughes@fedex.com



March 27, 2020

*(Overnight Tracking #770118498217)*

Mr. McDavid Oyekwe # 3758550  
3314 Seabreeze Drive  
Rowlett, TX 75088

RE: Step 1 GFTP - **Guaranteed Fair Treatment Procedure**  
**GFTP TICKET – 67580**

Dear Mr. Oyekwe,

Thank you for utilizing the FedEx Step 1 Guaranteed Fair Treatment procedure. However, the issue you listed in the GFT complaint you filed does not qualify as an eligible issue according to the Guaranteed Fair Treatment Procedure, (P5-5). Work assignments are not eligible for the Guaranteed Fair Treatment process. During your leave, your SIDA badge was returned to the proper authorities as required by Transportation Security Administration. You will be required to obtain a new SIDA badge prior to resuming your duties on the ramp. All employees working on the ramp must have a valid SIDA badge; therefore, you will be working in the sort until you can reobtain a SIDA badge.

Additionally, your harassment and discrimination claims have been previously investigated. Should you have new issues, please contact your Human Resources Advisor to discuss your course of action.

If you have any further questions, please contact HR Advisor Jay Johnson at 972-456-6675.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie M. Hughes", written over a horizontal line.

---

Julie M. Hughes  
Managing Director  
AGFS Western Region  
Lonestar District

cc: Erick Miglans  
Alonzo Wiley  
Jay Johnson

---

# *Certificate of Completion*

---

This Certifies that

**MCDavid OYEKWE**

has successfully completed the following course

**DFW NMDT TRAINING 2019**

on

**04/07/2020**

---

SIGNATURE

---

TITLE

**DFW** DALLAS  
FORT WORTH  
INTERNATIONAL  
AIRPORT



**#70062 discriminative hours  
despite tenure**

Guaranteed Fair Treatment Procedure » Leadership Failure

Last Activity: 04/09/2020 13:26 GMT

GFTP | Status: IN\_PROGRESS |

Reported By	Reported On	Duration	Ticket Level
McDavid Oyekwe (3758550)	04/09/2020 13:26 GMT / 04/09/2020 08:26 CST	few mins ago	Step 1

**Attachments:****No Attachments****Ticket Details****Ticket Details :**

ERIK RICK MILGANS AND ALONZO WILEY HAD COLLUDED TO LIMIT MY HOURS DESPITE MY TENURE. MY SCHEDULE HAS YET TO BE POSTED THIS WORK WEEK. ERIK RICK MILGANS HARASSED MYSELF ON MY 1ST WORK DAY BACK ON THE RAMP TO FALSELY ACCUSE ME OF USING THE RESTROOM TOO LONG. I ASKED FOR ASSISTANCE IN EVERY FLIGHT ON THE RAMP TODAY UNLIKE OTHERS ON THE RAMP. I FEAR FOR MY SAFETY AROUND ERIK RICK MILGANS RACIST AND FASCIST ATTITUDE TOWARDS MYSELF DIRECTLY BUT ALSO BEHIND MY BACK.

**FedEx Express policy encourages that you have an open and frank discussion with your manager before entering the GFTP Process. Have you had this discussion?**

Yes

**Is this complaint against your own manager or management chain?**

Yes

**If "yes" please proceed to the next question. If "No", please enter the employee number of the manager that you are filing against.**

9488

**Listed below are issues eligible for the GFTP Process.**

U Unfair treatment (Job assignment, Performance Review)

**Explain why you feel management was unfair.**

I FEAR FOR MY SAFETY AROUND ERIK RICK MILGANS RACIST AND FASCIST ATTITUDE TOWARDS MYSELF DIRECTLY BUT ALSO BEHIND MY BACK.

Keyword: PAST

Logged in as: Alonzo Wiley | VIDEOS | FEEDBACK | LOGOUT

**PAST - Punctuality and Attendance System Tracking****Alerts | Attendance Expectations | Calendar | Action Update | Available Hours | Reports | Delegation**Select Employee: OYEKWE, MCDAVID Date Range: 04/25/2019 - 04/23/2020  
Employee: 3758550 - OYEKWE, MCDAVID**Attendance Rate Performance Rating**

100%	OUTSTANDING
99.0 - 99.9%	WELL ABOVE SATISFACTORY
98.0 - 98.9%	ABOVE SATISFACTORY
96.9 - 97.9%	SATISFACTORY
96.0 - 96.8%	BELOW SATISFACTORY
95.0 - 95.9%	WELL BELOW SATISFACTORY
BELOW 95%	WEAK

**Dates Absent - Your Attendance Rate is 99.0%**

10/04/2019	Sick
12/04/2019	Sick

**Punctuality Rate Performance Rating**

100%	OUTSTANDING
98.5 - 99.9%	WELL ABOVE SATISFACTORY
96.9 - 98.4%	ABOVE SATISFACTORY
96.0 - 96.8%	SATISFACTORY
95.0 - 95.9%	BELOW SATISFACTORY
94.0 - 94.9%	WELL BELOW SATISFACTORY
BELOW 94%	WEAK

**Dates Tardy - Your Punctuality Rate is 95.6%**

04/25/2019	0:02	09/29/2019	0:06
05/14/2019	0:21	10/02/2019	0:08
05/15/2019	0:01	10/06/2019	0:11
07/31/2019	0:10	04/09/2020	0:09
08/23/2019	0:02	04/23/2020	1:41

Copyright, 2020. FedEx Express.

Friday, April 24, 2020

Contents subject to change.  
Printed and other static representations of  
this data are classified for reference only.



**INTER-OFFICE MEMORANDUM**

Date: April 30, 2020

To: McDavid Oyekwe #3758550

From: Alonzo Wiley III

cc: Rick Miglans  
Jay Johnson

**RE: Investigative Suspension with Pay**

Effective immediately, you are being placed on suspension with pay pending investigation of potential violation of the policy P2-5. Please understand that this suspension is not punitive in nature and is intended to allow us time to investigate the facts related to this situation.

While on investigative suspension, you are not to contact any FedEx employee or customer nor are you to enter any FedEx facility without permission of management, except to mail or receive FedEx packages at the customer counter. Please turn in your FedEx Express ID, keys, gas card and/or any other FedEx property in your possession.

**Please stay in town and accessible by phone during normal operational hours. If you are unable to be at your home, please leave a contact number where you can be reached. Please call me each day at 0600 at the number listed below. If I am not available, you must speak with another member of management.**

If you have any questions regarding corporate policy and/or responsibilities during this time, you may contact your Human Resources Advisor, Jay Johnson, at 972.456.6675.

A handwritten signature in black ink, appearing to read "Alonzo Wiley III".

Alonzo Wiley III  
Manager  
DFWR  
817.713.2632

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness [if required]

\_\_\_\_\_  
Date

Attachments: Potential Policy Violated

---





May 8, 2020

McDavid Oyekwe  
3314 SEABREEZE DRIVE  
ROWLETT, TX 75088

Dear Complainant:

Below is the management rationale I provided to my Managing Director regarding your Warning Letter/Termination. I have omitted any reference to specific employee names.

**NOTE:** You are referred to as 'Complainant' in this document.

**Management Decision Rationale:**

Complainant had been advised on numerous occasions by multiple levels of management that continuing to enter GFTPs and Open Doors for issues that have been previously investigated is considered an abuse of the process and you were to cease this behavior. Complainant met with Managing Director Julie Hughes on April 23 during which she informed the Complainant that FedEx valued the Complainant employment, but that abuses of FedEx's internal processes would no longer be tolerated, and that if the Complainant wished to remain with FedEx, the abuses had to stop. Despite being given these directives the Complainant continued the abuses of the processes and on 04/24/2020 and again on 4/29/2020, the Complainant entered another GFTP in the system for items not eligible for the GFTP process and for concerns that have already been investigated and addressed by management. In the last month the Complainant has entered over a dozen such entries, which is considered an abuse of our processes. Complainant likewise continued to send emails to executive management after being instructed by numerous managing directors told to cease.

Additionally, on 04/29/2020 the Complainant reported that employees struck an aircraft, which upon investigation was shown to be false report.

Upon completion of our investigation, it was determined that the Complainants repeated failure to follow directives is disruptive and insubordinate in violation of the Acceptable Conduct Policy (P2-5), a copy of which is attached for your review. As a result of the Complainants behavior, a Warning Letter was issued.

A review of the Complainants disciplinary history indicated the Complainant received three letters within the past twelve months:

1. 04/30/2020 - Warning Letter – Insubordination
2. 10/10/2019 - Performance Reminder Decision Day – Unsat Punctuality



3. 04/24/2019 - Warning Letter – Dropped Container (note: while this letter is in excess of 12 months the time period of activity was adjusted forward based on the number of days you spent on a leave of absence in concurrence with policy)

Any additional questions or concerns that you may have can be addressed during the Step 1 GFTP meeting scheduled on May 12, 2020.

Regards,

A handwritten signature in black ink, appearing to read "Alfonso Wiley". The signature is written in a cursive, flowing style with a large initial "A".

Complainant's Manager or Hiring Manager for selection cases  
cc: Matrix HR Representative  
File

Intl Doc Agent/Non-DOT

Actions

Job Description

Intl Doc Agent/Non-DOT

High School Diploma/G.E.D. Twelve (12) Months Work Experience In The Int'l Transportation, Freight Forwarding Or Brokerage Industry. Customer Contact Experience Preferred. Must Type 25 Wpm. Knowledge Of Cosmos, Kiac, Visa, Famis, Tortes, Ams, Ipbsa, Etc. And Pc Software Applications, I.E., Word Processing, Spreadsheet, Etc. Preferred. Knowledge Of U.S. Customs Regulations And Procedures Preferred. Ability To Successfully Complete All Basic And Recurrent Training. Good Human Relations And Verbal Communication Skills.  
Non-Covered Safety Sensitive Position; Ability to work in a constant state of alertness and in a safe manner.

Ensures The Efficient Movement And Clearance Of Import/Export Freight In Compliance With Established Regulations And Procedures For Any International Import/Export Freight Which Includes Freight Held "In-Bond" Per Customs' Request For Broker-Select Clearance Option.

Supplemental and interview required, the typing test must be submitted prior to the posting end date. Have your manager, human resource or recruiter to help make arrangements for testing.

Full time A.M. Vacation, PNW Coverage, shifts will varies from 0500-1830  
No coverage needed the schedule will be Monday/Wednesday -Friday 1000-1830 & Saturday 0800-1630 (days off Sunday and Tuesday)

Compensation Grade:  
FXEUS\_C1

FXE-US/USA/DFW/75261/2967 N Airfield Dr  
Job Posting End Date:  
2020-02-29 08:00

Apply

Internal: Intl Doc Agent/Non-DOT

Job Details

Job Requisition ID	RC213600
Location	FXE-US/USA/DFW/75261/2967 N Airfield Dr
Posting Date	02/21/2020 - 5 days ago
Job Family	FXE-US: Operations
Time Type	Full time
Job Type	Regular
Supervisory Organization	AGFS Ramp Ops (DFW-RT) (Veanko Bins (191625))

Recruiter

Veanko Bins (191625)

Hiring Manager

Veanko Bins (191625)

Team Members



June 22, 2020

McDavid Oyekwe  
3314 Seabreeze Drive  
Rowlett, TX 75088

Dear Mr. Oyekwe:

We would like to thank you for utilizing the FedEx internal employee complaint process to have your issues of concern reviewed by subsequent levels of management.

The Appeals Board convened on June 22, 2020, at your request, to review your Warning Letter/Termination on May 1, 2020, for violation of the Performance Improvement policy.

The Board carefully analyzed the facts surrounding your GFTP complaint and it was the Board's decision to uphold your Warning Letter/Termination.

This is the final step of the GFTP process; therefore, the decision of the Appeals Board is final and binding on you and the Company.

For the Appeals Board,

A handwritten signature in black ink, appearing to be "BT", followed by a horizontal line.

Brandon Tolbert  
Appeals Board Administrator

---

To Mr. Alvan Robinson:

2/15/2021

**Safety & Discrimination Issues**

I Shane N. Dumas spoke to an OSHA investigator in November and in February sent a statement letter to EEOC investigator Mr. Alvan Robinson regarding McDavid Oyekwe Safety and Discrimination issues. As stated to the investigator my title was Ramp Agent. I was in a leadership role during the AM operation on the ramp at FEDEX DFW Airport location. There were several issues of discriminations that I can confirm happen to McDavid Oyekwe. He was one of the last employees trained on equipment & aircraft and to my knowledge he was never captain trained. Jeff Towbridge, Bryan Anthony, Kipling and Ashely (Don't remember their last names) was trained and certified ahead of him. Mr. Oyekwe did have higher seniority and longer tenure with the company then all those I named. I also witness Rick Miglans (Senior Manager) and Alonzo Wiley (Ramp Manager) watch and try to intimidate McDavid Oyekwe at gate 7 when he was mating up the topside loader to an aircraft. They NEVER done this before to any other employees like they did with McDavid Oyekwe. Also, when assign the PST process in particular on Sunday's, McDavid Oyekwe was always giving the "T" Process which meant he had to close every container on the ramp. This was strategically done from the direction of Manger Alonzo Wiley (Ramp Manger). There are several other examples of discrimination that I can go into great details if interviewed by Mr. Alvan Robinson for the record.

Also, on in Sept. 30, 2020 I scheduled an interview with Mrs. Julie Hughes (Managing Director of Dallas) regarding Favoritism, Discrimination and COVID-19 Procedures. Every concern in this paragraph is directly related and apar of Mr. Oyekwe discrimination and safety issues. During my tenure since Rick Miglans – (Senior Manager) and Alonzo Wiley (Ramp Manger) took over the ramp, several ramp employees receive preferential treatment based on race. For Example, Ramp Agents with less years' experience then me were scheduled more hours and training projects. African American Material Handlers were last to be certified as captains and fully train to onload and offload planes. I personally seen Senior Manger Rick Miglans, show his bias by wishing a white female worker good luck for ramp agent interview. She ultimately got the Ramp Agent Position over 2 other minority candidates with more experience. This the same un experienced Ramp Agent who was scheduled 40 plus hours and she was classified as part-time employee. While the other ramp agents had to take a reduction in hours. There seems to be a different standard of treatment regarding accidents issues, Warning Letters, OLCC, Tardy Excuses and Bravo Zulu Awards given to employees on the ramp based on race. To my knowledge nothing has yet been done regarding the issues, I brought to upper management attention. Please advise if there are any additional information/specifics regarding Mr. McDavid Oyekwe discrimination Issue with FEDEX.

---

Thanks,

Shane N. Dumas

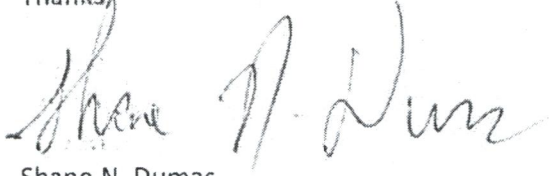
(504)782-6675



To whom it may concern:

I Shane N. Dumas spoke to an OSHA investigator in November regarding McDavid Oyekwe reporting of aircraft strike. As stated to the investigator my title was Ramp Agent. I was in a leadership role during the AM operation on the ramp at DFW Airport. The day of the incident, I was on the ramp working but not assigned to the specific gate 5 at the time. However, a fellow ramp agent Joseph Agnew came up to me explaining what happen and what he saw on the aircraft. After hearing the details, I advise Joseph Agnew another ramp agent to inform upper management about the strike. In speaking to the OSHA investigator, I instructed him that there is a camera pointing directly at the nose of the plane at gate 5 where the aircraft strike occurred. That video would show clear evidence or not if there was an aircraft strike. From all indications and marks on the aircraft describe to me by Ramp Agent Joseph Agnew a strike has highly likely occurred. Please advise if there are any other information/specifcs need regarding this matter.

Thanks,



Shane N. Dumas

(504)782-6675

Shane N. Dumas  
Ramp Agent  
DFW Airport  
November 1, 2021  
OSHA Investigator  
1000 P St NW  
Washington, DC 20541  
202-693-1400  
shane.dumas@dfwairport.com

4/30/2020

---

**Reported Company/Branch Information**

Location FEDEX EXPRESS

(DFWD) 2963 N. Airfield Dr

City/State/Zip: DALLAS, TX, 75261, UNITED STATES )

---

**What is your relationship to FedEx?**

Employee

---

**How did you become aware of this hotline number?**

Referred by co-worker/manager/HR rep

---

**Your FedEx ID:**

3758550

---

**Where did this incident occur?**

2963 N. Airfield Dr

---

**Please provide the specific or approximate date and time this incident occurred:**

04/29/2020

---

**How long do you think this incident has been going on?**

Once

---

**Please identify the person(s) you are reporting as involved in this incident:**

John Peterson, material handler

---

**Now identify any witnesses or other individuals who may know about this incident:**

Patricia Greewade, material handler

---

**Is a member of management aware of the incident you are reporting?**

Yes

---

**If yes, to whom, when and what action, if any, was taken?**

Alonzo Wiley, manager

Eric "Rick" Miglans, manager

Jay Johnson, HR advisor

ALFONSO L. LAMAS

**Report Submission Date**

5/1/2020

**Reported Company/Branch Information**

Location FEDEX EXPRESS

(DFWD) 2963 N. Airfield Dr

City/State/Zip: DALLAS, TX, 75261, UNITED STATES )

**What is your relationship to FedEx?**

Former Employee

**How did you become aware of this hotline number?**

Referred by co-worker/manager/HR rep

**Your FedEx ID:**

3758550

**Where did this incident occur?**

at the rack

**Please provide the specific or approximate date and time this incident occurred:**

on May 1, 2020

**How long do you think this incident has been going on?**

Once

**Please identify the person(s) you are reporting as involved in this incident:**

Alonzo Wiley, supervisor

ALFONSO L. LAMAS

# EXHIBIT B

---



**DISMISSAL AND NOTICE OF RIGHTS**

To:

Mr. McDavid O. Oyekwe  
33145 SEABREEZE DRIVE  
Rowlett, TX 75088

From:

US, EEOC, Raleigh Area Office  
434 Fayetteville Street, Suite 700  
Raleigh, NC 27601

☐

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

450-2020-03684

Alvan L. Robinson,  
Senior Investigator

(919) 856-4082

**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

**- NOTICE OF SUIT RIGHTS -**

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

Alvan L. Robinson  
On behalf of the Commission

Digitally signed by Alvan L. Robinson  
DN: cn=Alvan L. Robinson, o=EEOC, ou=EEOC,  
email=alvan.robinson@eEOC.gov, c=US  
Date: 2021.02.09 10:17:02 -05'00'

For/

February 26, 2021

Enclosures(s)

Glory Gervacio Saure,  
Area Office Director

(Date Issued)

cc:

Ms. Robbin W. Hutton, Counsel  
FEDEX EXPRESS  
3620 Hacks Cross Road, Building B  
Memphis, TN 38125



**INFORMATION RELATED TO FILING SUIT  
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.  
If you also plan to sue claiming violations of State law, please be aware that time limits and other  
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),  
the Genetic Information Nondiscrimination Act (GINA), or the Age  
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope or record of receipt, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was issued to you** (as indicated where the Notice is signed) or the date of the postmark or record of receipt, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

**PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):**

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit **before 7/1/10** -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

**ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:**

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

**ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:**

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

**IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.**

---

Enclosures(s)

cc: **Robbin W. Hutton**  
**FEDEX EXPRESS**  
**3620 Hacks Cross Road**  
**Building B**  
**Memphis, TN 38125**

ATTACHMENT 5  
CITATION RETURN SERVICE



OFFICER'S RETURN

Case No. : DC-21-04561

Court No.101st District Court

Style: MCDAVID OYEKWE

vs.

FEDERAL EXPRESS CORPORATION

Came to hand on the 19 day of April, 20 21, at 10 o'clock a.M. Executed at

1999 Bryan St, within the County of \_\_\_\_\_ at 10:02 o'clock a.M. on the

26 day of April, 20 21, by cert mail delivering to the within named

Federal express corporation by serving registered agent CT corporation system  
via US Cert mail return receipt received and attached hereto and signed  
by court 19

each in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance Request  
actually traveled by me in serving such process was \_\_\_\_\_ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ 76

For mileage \$ \_\_\_\_\_

For Notary \$ \_\_\_\_\_

of \_\_\_\_\_ County, \_\_\_\_\_

By [Signature] Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said \_\_\_\_\_ before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

to certify which witness my hand and seal of office.

Notary Public \_\_\_\_\_ County \_\_\_\_\_

FILED  
21 APR 27 AM 8:14  
FELICIA PITRE  
DISTRICT CLERK  
DALLAS CO., TEXAS  
DEPUTY

FELICIA PITRE  
DISTRICT CLERK  
600 COMMERCE STREET  
DALLAS, TEXAS 75202-4606

9214 8901 0661 5400 0161 8691 39

ATTACHMENT 6  
LETTER FROM COURT TO FEDEX



**101<sup>st</sup> JUDICIAL DISTRICT COURT**  
GEORGE L. ALLEN COURTS BUILDING  
600 COMMERCE STREET  
DALLAS, TEXAS 75202-4604

April 19, 2021

FEDERAL EXPRESS CORP  
BY SERVING ITS REGISTERED AGENT CT CORP SYSTEM  
1999 BRYAN ST STE 900  
DALLAS TX 75201-3136

Cause No: DC-21-04561

MCDAVID OYEKWE  
vs.  
FEDERAL EXPRESS CORP

ALL COUNSEL OF RECORD AND PRO SE PARTIES:

The above case is set for dismissal, pursuant to Rule 165A, Texas Rules of Civil Procedure and pursuant to the inherent power of the Court, on:

**June 18, 2021 at 9:00 AM**

If an answer has been filed, the case will not be dismissed. Your case will be removed from the dismissal docket and set for trial.

If service of process has been completed but no answer has been filed, you must file a Motion for Default Judgment on or prior to the date of the dismissal docket. Failure to do so will result in dismissal of this case for want of prosecution.

If service of process has not been completed and you wish to retain the case on the docket, you must email the court at [101court@dallascounty.org](mailto:101court@dallascounty.org) no later than 3:00 p.m. on the day before the dismissal docket, specifying (1) date petition was filed, (2) the steps taken to attempt to achieve service and (3) how much additional time is needed before filing a Motion for Substitution Service.

If your case is set on the Default Judgment docket, your case will not be dismissed. Your case will be reset on the dismissal docket.

If your case is set on the Motion for Substitute Service docket, your case will not be dismissed. However, if you receive a Notice a Deficiency, the Court expects that the deficiencies be addressed. Your case will be reset on the dismissal docket.

If your case has been settled and is on the Settlement Docket, you must provide the required documents or your case will be removed from the docket.

Sincerely,

A handwritten signature in black ink, appearing to read "Stevi Wilkins", with a long horizontal flourish extending to the right.

Presiding Judge  
101<sup>st</sup> Judicial District Court

CC: FEDERAL EXPRESS CORP; MCDAVID OYEKWE



ATTACHMENT 7  
PROOF OF DELIVERY



April 26, 2021

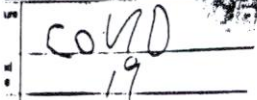

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:  
**9214 8901 0661 5400 0161 8691 39.**

**Item Details**

<b>Status:</b>	Delivered, PO Box
<b>Status Date / Time:</b>	April 26, 2021, 10:02 am
<b>Location:</b>	DALLAS, TX 75201
<b>Postal Product:</b>	First-Class Mail®
<b>Extra Services:</b>	Certified Mail™ Return Receipt Electronic
<b>Recipient Name:</b>	FEDERAL EXPRESS CORPORATION

**Recipient Signature**

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000161869139  
DC21-04561/TJ  
FEDERAL EXPRESS CORPORATION  
BY SERVING REGISTERED AGENT CT CORPORATION SYSTEM  
1999 Bryan St Ste 900  
Dallas, TX 75201-3140